

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

HAROLD HICKS,

Plaintiff,

Case No. 2:15-cv-12329

v.

HONORABLE STEPHEN J. MURPHY, III

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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**ORDER ADOPTING REPORT AND  
RECOMMENDATION (document no. 21), DENYING  
PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT (document no. 16), AND  
GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (document no. 19)**

The Commissioner of the Social Security Administration ("SSA") denied the application of Harold Hicks for Supplemental Security Income and Disability Insurance Benefits in a decision issued by an Administrative Law Judge. See Admin. R. 16–34, ECF No. 14-2. After the SSA Appeals Council declined to review the ruling, Hicks appealed. The Court referred the matter to Magistrate Judge Stephanie Dawkins Davis, and the parties filed cross-motions for summary judgment. See Mots. Summ. J., ECF Nos. 16, 19. The magistrate judge issued a Report and Recommendation ("Report") suggesting the Court deny Hicks's motion and grant the Commissioner's motion. Report, ECF No. 21.

Civil Rule 72(b) governs review of a magistrate judge's report and recommendation. De novo review of the magistrate judge's findings is only required if the parties "serve and file specific written objections to the proposed findings and recommendations." Fed. R. Civ. P. 72(b)(2). Because neither party filed objections, de novo review of the Report's conclusions is not required. After reviewing the record, the Court finds that the magistrate judge's conclusions are factually based and legally sound. Accordingly, the Court will adopt

the Report's findings, deny Hicks's motion for summary judgment, and grant the Commissioner's motion for summary judgment.

**ORDER**

**WHEREFORE**, it is hereby **ORDERED** that the magistrate judge's Report and Recommendation (document no. 21) is **ADOPTED**.

**IT IS FURTHER ORDERED** that Hicks's Motion for Summary Judgment (document no. 16) is **DENIED**.

**IT IS FURTHER ORDERED** that the Commissioner's Motion for Summary Judgment (document no. 19) is **GRANTED**.

**IT IS FURTHER ORDERED** that this case is **DISMISSED WITH PREJUDICE**.

**SO ORDERED.**

s/Stephen J. Murphy, III  
STEPHEN J. MURPHY, III  
United States District Judge

Dated: August 31, 2016

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on August 31, 2016, by electronic and/or ordinary mail.

s/Carol Cohron  
Case Manager